

STATE OF WISCONSIN

CIRCUIT COURT

MILWAUKEE COUNTY

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STATE OF WISCONSIN,

Plaintiff,

v.

KENYATTA CLINCY  
(D.O.B.: 5/1/1990)

Case No. 2013-CF-\_\_\_\_\_

MONTREAL FREEMAN  
(D.O.B.: 5/22/1990)

Case No. 2013-CF-\_\_\_\_\_

Defendant.

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CRIMINAL COMPLAINT

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Complainant, being duly sworn on oath, states as follows:

**COUNT 1: ARMED ROBBERY BY USE OF AN ARTICLE THE VICTIM  
REASONABLY BELIEVES IS A DANGEROUS WEAPON § 943.32(2)  
(AS TO KENYATTA CLINCY)**

On or about March 25, 2013, at 2332 S. Lenox St., in the City and County of Milwaukee, State of Wisconsin, the above-named defendant, did with the intent to steal and by use or threat of use of an article used or fashioned in a manner to lead the victim reasonably to believe that it is a dangerous weapon, take property from the person or presence of the owner, Nicole Sheldon, by threatening the imminent use of force against the person of the owner with intent to compel the owner to submit to the taking or carrying away of the property, contrary to Wis. Stat. § 943.32(2).

Upon conviction for this offense, a Class C felony, the maximum possible penalty is a fine not to exceed \$100,000 or a term of imprisonment not to exceed 40 years, or both.

**COUNT 2: ROBBERY BY THE USE OR THREAT OF FORCE,  
PARTY TO A CRIME, HABITUAL CRIMINALITY  
(AS TO MONTREAL FREEMAN)**

On or about March 25, 2013, at 2332 S. Lenox St., in the City and County of Milwaukee, State of Wisconsin, the above-named defendant, as party to a crime, did aid and abet, by acting as a getaway driver, another person who, with intent to steal, did take property from the person or presence of the owner, Nicole Sheldon, by threatening the imminent use of force against the person of the owner with intent to compel the owner to submit to the taking or carrying away of the property, contrary to Wis. Stat. § 943.32(1)(a), § 943.32(1)(b) and § 939.05.

Pursuant to Wis. Stat. § 939.62(2), the defendant is a Habitual Criminal because he has been convicted of a felony (to wit: a Class G Felony - Theft from Person - Milwaukee County Case No. 2011 CF 3087) during the 5 years immediately preceding the commission of the current offense.

Upon conviction for this offense, a Habitualized Class E Felony, the maximum possible penalty is a fine not to exceed \$50,000 or a term of imprisonment not to exceed 21 years, or both.

## **FACTUAL BASIS**

1. The complainant, Scott Schmitz, states he is employed as a detective with the City of Milwaukee Police Department and has been a law enforcement officer for 12 years. He is currently assigned to the South Investigations Division of the Milwaukee Police Department and he has experience investigating, pursuant to his official duties, the crime of Robbery, amongst many other types of crime.
2. This complaint is based on information and belief, the statements of fellow police officers, the statements of citizen witnesses.
3. The complainant has reviewed the 911 call from citizen witness, Nicole Sheldon, made on March 25, 2013, at approximately 7:31 PM, moments after being robbed. In the phone call, Sheldon sounds distressed and she hurriedly reports that she was robbed by a black male who fled in a blue, four-door car driven by someone other than the man who performed the robbery. She states that the car fled from Lenox onto Lincoln, heading westbound.
4. City of Milwaukee Police Detective Scott Schmitz reported that on March 25, 2013, he responded to an armed robbery in the area of 2332 S. Lenox Street, Milwaukee, Wisconsin, the robbery occurring about 7:30 PM. At that location, Detective Schmitz spoke with Nicole J. Sheldon who indicated that on the above date, at the above location, she was approached by a black male who was armed with a dark shiny object held to his right side. Sheldon said that the subject told her to drop her bag and she complied with the demand by dropping her purse. Sheldon then screamed toward her house for her husband. The subject took her purse and then began running back

across the street. Suddenly, a dark colored car pulled up and the subject entered the passenger side of the vehicle but Sheldon could not recall if the subject entered the front or the rear passenger side. Sheldon stated that her husband, Lance Johnson, ran out of the house and ran at the car. Sheldon then warned her husband that the subject may have a gun. Sheldon then saw the vehicle head northbound on Lenox and then westbound on Lincoln. Sheldon reported her purse as a black nylon purse which contained a maroon or burnt orange wallet. The wallet contained her identification cards, credits cards, \$80 in cash, a paycheck, and health insurance cards. The purse also contained a Ziplock baggie with a bottle of Bayer aspirin.

5. City of Milwaukee Police Detective Gilbert Carrasco reported that on March 25, 2013, he was sent to assist in the investigation of an armed robbery in the area of 2332 S. Lenox Street, Milwaukee, Wisconsin. At that location, Detective Carrasco spoke with Lance Johnson who stated that minutes after coming home he heard his wife screaming from outside of the front door of their home. When Johnson opened the front door his wife, Nicole Sheldon, was standing on the sidewalk and there was a subject who was running into the street as an auto pulled up from the south. Sheldon advised Johnson that "He just robbed me." Johnson then ran after the subject. Sheldon then yelled to Johnson that the subject had a gun, which caused Johnson to stop his physical pursuit. However, Johnson did observe the license plate of the vehicle and yelled out the plate number to his wife, Sheldon, so that both could remember it. The plate number was 677KCE. Johnson then went back to the house, grabbed his car keys, got in his car, and then tried to find the car that just fled.

Johnson noted that the subject that he observed was a slender black male, who was wearing a dark hooded jacket with the hood up and baggie jeans. Johnson reported that he found his wife's purse on Aldrich Street.

6. City of Milwaukee Police Officer Joel Panning reported that on March 25, 2013, he responded to a robbery complaint in the area of 2332 S. Lenox Street, Milwaukee, Wisconsin. Panning spoke with both Nicole Sheldon and Lance Johnson. Sheldon described the events of the robbery and noted that she observed the subject holding the right side of his waistband and saw something shiny, which she thought could be a gun. Johnson discussed the vehicle, its plate number, and noted that the vehicle went westbound on Lincoln from Lenox and then northbound on S. Aldrich St.
7. City of Milwaukee Police Officer Raymond Hewitt located a plastic sandwich bag, which contained a bottle of Bayer Aspirin on the ground in front of 2204 S. Aldrich St. Sheldon reported Detective Schmitz that this item was from her purse.
8. City of Milwaukee Police Chief Latent Print Examiner Douglas Knueppel examined fingerprints that were retrieved from the Ziplock baggie and identified the prints as belonging to Montreal Freeman. Latent Print Examiner Andrew Smith verified the identifications.
9. Detective Edmund Fitting reported that the Wisconsin DOT registration plate number 677KCE is listed to a dark blue 4-door Toyota Corolla, which was registered to Angel S. Conner with an address of 2869 N. 37<sup>th</sup> Street, Milwaukee, WI.
10. City of Milwaukee Police Officer Michael Flannery reported that on March 25, 2013, at about 10:18 PM he observed a blue Toyota Corolla driving at a very fast rate of

speed northbound in the area of the 2800 block of N. 37<sup>th</sup> St. Flannery reported that he observed that there was a single occupant driving the car and that the license plate number was 677KCE. Flannery then advised over the MPD radio that the vehicle had just driven past Flannery's location. Flannery reports that Police Officer Shawn Berger then initiated a traffic stop of the vehicle in the area of 3701 W. Locust Street, Milwaukee, Wisconsin. Kenyatta H. Clincy, who was identified as the boyfriend of the vehicle's registered owner, Angel Conner, was operating the vehicle.

11. Detective Edmund Fitting reports that on March 25, 2013, he assisted in locating a suspect in a robbery in the area of 2869 N. 37<sup>th</sup> Street. He was advised that the suspect vehicle was located in the area. Fitting reports that he responded to the area of 3702 W. Locust Street where he made a number of observations. Fitting reports that at the time of the stop, Clincy was wearing a black hooded jacket. Fitting also reported that he observed, in plain view, a black lug-nut wrench located on the front floor at the feet of where the driver, Clincy, was sitting in the vehicle.
12. City of Milwaukee Police Chief Latent Print Examiner Douglas Knueppel examined fingerprints that were retrieved from the vehicle used in the robbery, a blue 4 door Toyota Corolla with registration 677-KCE. Knueppel identified the prints as belonging to Montreal Freeman. Latent Print Examiner Andrew Smith verified the identifications.
13. The complainant has reviewed the statement of citizen witness Kamalla Washington. Washington reported that she was in the vehicle at the time of the robbery. Washington stated that "Momo" and "Trell" picked her up from her house sometime


around 6 or 7 PM on Monday, March 25, 2013. She reported that the car was blue and that it was a 4-door. She reported that they drove close by Bayview, around a work-out place, that a Caucasian lady got out of a red car, and that Momo said (before seeing the lady) that he wasn't going to leave the area until he got some money. At that point in time, Momo got out of the car and Trell moved over into the driver's seat and said "We finne go." Washington reported hearing a scream and that Trell backed the car up. Washington reported that Momo approached the woman and she dropped her purse. Washington reports that Momo then grabbed the purse and that a "Caucasian dude" came out of the house and tried to grab Momo. Washington reported that Momo got into the front passenger seat. Washington reported the purse was black in color. Washington reported that the contents of the purse included a "wallet" and "credit cards and stuff." She described the wallet as "dark" when asked about the color. She reported that Momo got \$38 dollars and threw the purse out of the window.

14. Washington identified Momo, via a photo array, as Kenyatta H. Clincy, D.O.B. 5/1/1990. She identified him as the person doing the robbery.
15. Washington identified Trell, via a photo array, as Montreal Freeman, D.O.B. 5/22/1990. She identified him as the person driving away from the scene of the robbery.
16. AS TO HABITUAL CRIMINALITY ALLEGATION: Attached and incorporated by reference is the Judgment of Conviction and the Criminal Information in case number 2011CF3087, which reflects that the Montreal Freeman has been convicted of a

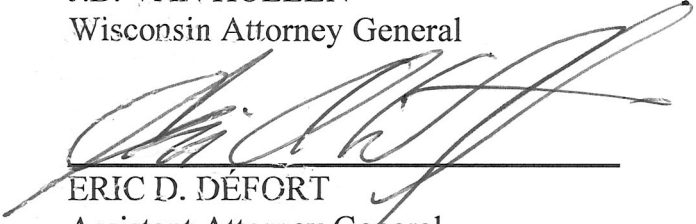
felony (to wit: a Class G Felony - Theft from Person - Milwaukee County Case No. 2011 CF 3087) during the 5 years immediately preceding the commission of the current offense.

## End of Complaint ##

Dated this 12<sup>th</sup> day of JUNE, 2013. Complainant:

  
Scott Schmitz - Detective  
City of Milwaukee Police Department

Subscribed and sworn to before me  
and approved for filing  
this 12<sup>th</sup> day of JUNE, 2013.  
J.B. VAN HOLLEN  
Wisconsin Attorney General

  
ERIC D. DEFORT  
Assistant Attorney General  
State Bar No. 1041760  
Notary Public – Permanent Commission  
Special Prosecutor for Milwaukee County  
Wisconsin Department of Justice,  
17 W. Main St., Madison, WI 53707



INFORMATION

STATE OF WISCONSIN

DA Case No.: 2011ML016165

Plaintiff,

vs.

Complaining Witness:

DET JEFFREY WIESMUELLER

Court Case No.:

Benson, Lee Anthony  
2113 N. 40th Street  
Milwaukee, WI 53208  
DOB: 02/08/1992Court Case No.: 11CF3057Freeman, Montreal L  
2026 S. 15th Street  
Milwaukee, WI 53204  
DOB: 05/22/1990

Defendants,

I, JOHN T. CHISHOLM, DISTRICT ATTORNEY FOR MILWAUKEE COUNTY, WISCONSIN,  
HEREBY INFORM THE COURT, THAT:

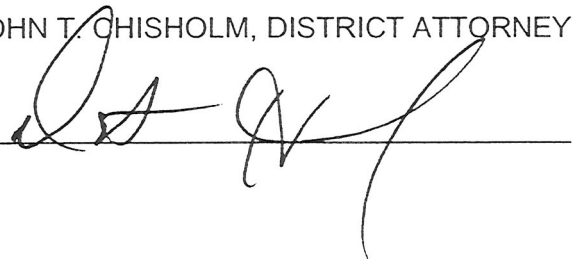
**Count 1: ROBBERY, ARMED (USE OF FORCE) - PTAC, AS A PARTY TO A CRIME** (As to  
defendants Lee Anthony Benson and Montreal L Freeman)

The above-named defendants on or about Friday, July 01, 2011 at 12:21 AM, at 2917 N. Pierce Street, in the City of Milwaukee, Milwaukee County, Wisconsin, as a party to a crime, with intent to steal, by the use or threat of use of an article used or fashioned in manner to lead the victim reasonably to believe it was a dangerous weapon, did take property from the person of Nicole M Larson, the owner, by use of force against the person of the owner with intent thereby to overcome that person's physical resistance or physical power of resistance to the taking or carrying away of said property, contrary to sec. 943.32(1)(a) and (2), 939.50(3)(c), 939.05 Wis. Stats.

Upon conviction for this offense, a Class C Felony, the defendants may be fined not more than One Hundred Thousand Dollars (\$100,000), or imprisoned not more than forty (40) years, or both.

JOHN T. CHISHOLM, DISTRICT ATTORNEY

DATED

7/15/11

State of Wisconsin vs. Montreal L Freeman

**Judgment of Conviction**Sentence Imposed & Stayed,  
Probation Ordered

FILED

06-08-2012

John Barrett

Clerk of Circuit Court

Date of Birth: 05-22-1990

Case No. 2011CF003087

List Aliases: AKA Montreal L Freemom

The defendant was found guilty of the following crime(s):

Ct.	Description	Violation	Plea	Severity	Date(s) Committed	Trial To	Date(s) Convicted
1	[939.05 Party to a Crime] Theft-Movable Property fr. Person/Corpse	943.20(1)(a)	Guilty	Felony G	07-01-2011		04-23-2012

IT IS ADJUDGED that the defendant is guilty as convicted and sentenced as follows:

Ct.	Sent. Date	Sentence	Length	Agency	Comments
1	06-01-2012	Probation, sent imposed	2 YR	Department of Corrections	
Sentence(s) Stayed				Comments	Sent. Credit
1		Initial Confinement	2 YR 6 MO		59 days
1		Extended Supervision	2 YR 6 MO	Extended Supervision and Probation conditions same	

**Sentence Concurrent With/Consecutive Information:**

Ct.	Sentence	Type	Concurrent with/Consecutive To Comments
1	Extended Supervision		Extended Supervision and Probation conditions same

State of Wisconsin vs. Montreal L Freeman

**Judgment of Conviction**Sentence Imposed & Stayed,  
Probation Ordered

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Clerk of Circuit Court

Date of Birth: 05-22-1990

Case No. 2011CF003087

**Conditions of Sentence or Probation****Obligations:** (Total amounts only)

Fine	Court Costs	Attorney Fees	<input type="checkbox"/> Joint and Several Restitution	Other	Mandatory Victim/Wit. Surcharge	5% Rest. Surcharge	DNA Anal. Surcharge
10.00	163.00			13.00	92.00		

**Conditions**

Ct.	Condition	Length	Agency/Program	Begin Date	Begin Time	Comments
1	House of Correction	4 MO				
1	Community service	100 HR				
Ct.	Condition		Agency/Program			Comments
1	Costs					Pay the costs and disbursements. Should defendant get revoked, monies to be taken from prison funds and from up to 25% of prison wages. Failure to pay any of the costs, disbursements, or fine would result in a civil judgment entered against defendant.
1	Employment / School					Seek and maintain employment; can combine work and school. Job and vocational training.
1	Firearms/Weapons Restriction					As a convicted felon not to possess any firearms.
1	Prohibitions					No alcohol or illegal substances; random testing. No contact with victim Nicole L. No contact with victim Lee Benson.
1	Other					Court set restitution at zero. Court ordered defendant to provide a DNA sample. Complete a cognitive intervention program. Defendant IS eligible for the Challenge Incarceration Program, but NOT the Substance Abuse Program.
1	Alcohol assessment					AODA assessment and follow any treatment recommended.

**Conditions Concurrent With/Consecutive Information:**

Ct.	Condition	Type	Concurrent with/Consecutive To Comments
1	House of Correction		Stayed, to be used at discretion of agent for any violations.
1	Community service		The court would assess \$25.00 for every unworked hour.

**Pursuant to §973.01(3g) and (3m) Wisconsin Statutes, the court determines the following:**The Defendant is ☒ is not ☐ eligible for the Challenge Incarceration Program.The Defendant is ☐ is not ☒ eligible for the Substance Abuse Program.**IT IS ADJUDGED** that 59 days sentence credit are due pursuant to §973.155, Wisconsin Statutes**IT IS ORDERED** that the Sheriff shall deliver the defendant into the custody of the Department.

State of Wisconsin vs. Montreal L Freeman

**Judgment of Conviction**Sentence Imposed & Stayed,  
Probation Ordered

Date of Birth: 05-22-1990

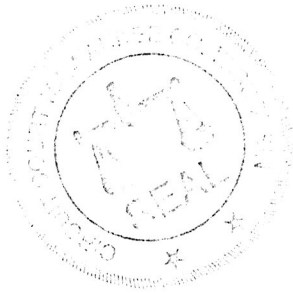
Case No. 2011CF003087

FILED

06-08-2012

John Barrett

Clerk of Circuit Court

**Distribution:**Dennis P. Moroney-20, Judge  
DeAnn L Heard, District Attorney  
Robert D'Arruda, Defense Attorney**BY THE COURT:**Dkernan  
Electronically signed by John Barrett

Circuit Court Judge/Clerk/Deputy Clerk

June 8, 2012

Date

STATE OF WISCONSIN }  
MILWAUKEE COUNTY } SS.

I, the undersigned Clerk of the Circuit Court of Milwaukee County, Wisconsin do hereby certify that I have compared this document with the original on file and that the same is a full, true and correct copy of said original and of the whole thereof, as the same remains of record in my office.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of said court, this APR 10 2012 date

JOHN BARRETT

Clerk of Circuit Court